

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: January 18, 2024

-against-

90-CR-306 (KMW)

ORDER

FERNANDO GIL,

Defendant.

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KIMBA M. WOOD, United States District Judge:

Defendant Fernando Gil has filed a motion for reconsideration of the Court's September 15, 2022 Opinion and Order denying his second motion for compassionate release. (Def.'s Mot., ECF No. 560.) The Government opposes Gil's motion. (Gov't Opp'n, ECF No. 562.)

The Government is ORDERED to file a supplemental letter addressing the merits of Gil's argument that the length of Gil's sentence (life), which was imposed pursuant to the then mandatory Guidelines, constitutes an extraordinary and compelling reason justifying his release because similarly situated defendants would not receive a life sentence today. The Government is specifically directed to address whether similarly situated defendants would receive a sentence comparable to Gil's, if sentenced today.

The Government's supplemental letter is due by February 1, 2024. Gil's reply, if any, is due February 29, 2024.

The Clerk of the Court is respectfully directed to mail a copy of this order to Gil.

SO ORDERED.

Dated: New York, New York
January 18, 2024

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge